Docket No. JAB-1626

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jean Lacrampe F.A. et al.

Serial No. : Art Unit:

Filed : Examiner:

For : NOVEL IL-5 INHIBITING 6-AZAURACIL DERIVATIVES

Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the above-identified application as follows and consider the following remarks.

In the Specification

On page 1, between the title and line 4, add the following new paragraph:

-- Cross Reference to Related Applications.

This application is a continuation of application Serial No. 09/462,320, filed January 5, 2000 which is the National Stage application under 35 U.S.C. 371 of PCT/EP98/04191 filed July 7, 1998, which claims priority from EP 97.202.118.2, filed July 10, 1997. --

In the Claims:

3. (Amended) A compound according to claim 2 wherein R^2 is aryl, Het^1, C_{3-7}cycloalkyl, or C_{1-6}alkyl substituted with one or two substituents selected from hydroxy, cyano, amino, mono- or di(C_{1-4}alkyl)amino, C_{1-6}alkyloxy, C_{1-6}alkylsuslfonyloxy, C_{1-6}alkyloxycarbonyl, C_{3-7}cycloalkyl, aryl, aryloxy, arylthio, Het^1, Het^1oxy and Het^1thio; and if X is O, S or NR^3, then R^2 may also represent aminocarbonyl, aminothiocarbonyl, C_{1-4}alkylcarbonyl, C_{1-4}alkylthiocarbonyl, arylcarbonyl or arylthiocarbonyl.

4. (Amended) A compound according to claim 3 wherein the 6-azauracil moiety is in the para position relative to the central carbon atom.

5. (Amended) A compound according to claim 4 wherein q is 1 or 2 and one R^4 substituent is in the 4 position; and p is 1 or 2 and the one or two R^5 substituents are in the ortho position relative to the central carbon atom.

6. (Amended) A composition comprising a pharmaceutically acceptable carrier and, as active ingredient, a therapeutically effective amount of a compound as claimed in claim 1.

7. (Amended) A process for preparing a composition as claimed in claim 6, wherein a pharmaceutically acceptable carrier is intimately mixed with a therapeutically effective amount of a compound as defined in claim 1.

Cancel Claims 8 and 9 without prejudice and add new Claims 13 and 14 as follows.

13. (New) A method for treating eosinophil-dependent inflammatory diseases in a warm-blooded animal in need thereof comprising administering to the warm-blooded animal an effective amount of a compound of Claim 1.

14. (New) The method of Claim 13, wherein the eosinophil-dependent inflammatory disease is selected from bronchial asthma, atopic dermatitis, allergic rhinitis or allergic conjunctivitis.

REMARKS/ARGUMENTS

The specification has been amended to refer to the priority applications.

The claims have been amended to remove the use of multiple dependent claims, to cancel European style claims 9-10 without prejudice, and to add new claims 13-14. Support for new claims 13-14 is found on page 20, lines 13-19 of the specification as originally filed.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is/are captioned "Version with markings to show changes made".

Early favorable action is respectfully requested.

Respectfully submitted,

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Dated: June 26, 2001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

On page 1, between the title and line 4, add the following new paragraph:

-- Cross Reference to Related Applications.

This application is a continuation of application Serial No. 09/462,320, filed January 5, 2000 which is the National Stage application under 35 U.S.C. 371 of PCT/EP98/04191 filed July 7, 1998, which claims priority from EP 97.202.118.2, filed July 10, 1997. --

In the Claims:

3. (Amended) A compound according to claim [1 or] 2 wherein R^2 is aryl, Het^1, C_{3-7}cycloalkyl, or C_{1-6}alkyl substituted with one or two substituents selected from hydroxy, cyano, amino, mono- or di(C_{1-4}alkyl)amino, C_{1-6}alkyloxy, C_{1-6}alkylsuslfonyloxy, C_{1-6}alkyloxycarbonyl, C_{3-7}cycloalkyl, aryl, aryloxy, arylthio, Het^1, Het^1oxy and Het^1thio; and if X is O, S or NR^3, then R^2 may also represent aminocarbonyl, aminothiocarbonyl, C_{1-4}alkylcarbonyl, C_{1-4}alkylthiocarbonyl, arylcarbonyl or arylthiocarbonyl.

4. (Amended) A compound according to [any one of] claim[s] [1 to] 3 wherein the 6-azauracil moiety is in the para position relative to the central carbon atom.

5. (Amended) A compound according to [any one of] claim[s] [1 to] 4 wherein q is 1 or 2 and one R^4 substituent is in the 4 position; and p is 1 or 2 and the one or two R^5 substituents are in the ortho position relative to the central carbon atom.

6. (Amended) A composition comprising a pharmaceutically acceptable carrier and, as active ingredient, a therapeutically effective amount of a compound as claimed in [any one of] claim[s] 1 [to 5].

7. (Amended) A process for preparing a composition as claimed in claim 6,[,] wherein a pharmaceutically acceptable carrier is intimately mixed with a therapeutically effective amount of a compound as defined in [any one of] claim[s] 1 [to 5].

Cancel Claims 8 and 9 without prejudice and add new Claims 13 and 14 as follows.

-- 13. (New) A method for treating eosinophil-dependent inflammatory diseases in a warm-blooded animal in need thereof comprising administering to the warm-blooded animal an effective amount of a compound of Claim 1.

14. (New) The method of Claim 13, wherein the eosinophil-dependent inflammatory disease is selected from bronchial asthma, atopic dermatitis, allergic rhinitis or allergic conjunctivitis. --